

AMENDED IN SENATE AUGUST 27, 2009
AMENDED IN ASSEMBLY APRIL 13, 2009
AMENDED IN ASSEMBLY MARCH 19, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 527

Introduced by Assembly Member Fuentes

February 25, 2009

An act to add Section 1174.1 to the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 527, as amended, Fuentes. Employee complaints: proceedings: payroll records.

Under existing law, the Labor Commissioner is authorized to investigate employee complaints and to provide a hearing in an action to recover wages, penalties, and other demands for compensation.

This bill would provide that if the Labor Commissioner finds that *there is a pattern of falsification of the* payroll records submitted for any pay period relating to any claim or complaint brought pursuant to the commissioner's authority ~~have been intentionally falsified~~, all payroll records relating to that claim or complaint must be presumed false ~~and disregarded~~.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1174.1 is added to the Labor Code, to
2 read:
3 1174.1. (a) If the Labor Commissioner finds that *there is a*
4 *pattern of intentional falsification of the* payroll records submitted
5 for any pay period relating to any claim or complaint brought
6 pursuant to Section 98 ~~have been intentionally falsified~~, all payroll
7 records relating to that claim or complaint shall be presumed false
8 ~~and disregarded~~.
9 (b) *For purposes of this section, “a pattern of intentional*
10 *falsification” means two or more intentionally falsified payroll*
11 *records.*